

FRANCISCO CURBELO,
Plaintiff,
v.
JIM PENDERGRAPH et al.,
Defendants.

Accordingly, by the instant Order, the Court advises the parties that dispositive motions,

particularly motions for summary judgment, must be filed within sixty (60) days of the date of this Order. In the event that the parties choose not to file any such motions, they should advise the Court of that fact within twenty (20) days of the date of this Order. Furthermore, inasmuch as the plaintiff is appearing pro se, the Court specifically advises him that under the provisions of Rule 56(a) of the Federal Rules of Civil Procedure, he may “move with or without supporting affidavits for a summary judgment” in his favor upon all or any portion of his claims.

NOW, THEREFORE, IT IS ORDERED:

1. That the parties have sixty (60) days from the date of this Order in which to file any dispositive motions which they may choose to file. However, in the event that either party chooses not to file a dispositive motion, such party shall advise the Court of that decision within twenty (20) days of the date of this Order;

2. That in the event any such dispositive motion is filed, the opposing party shall have thirty (30) days from the date of that party’s receipt of that motion in which to file a response with this Court; and

3. That the Clerk shall provide plaintiff with a copy of Rule 56 of the Federal Rules of Civil Procedure.

Signed: October 17, 2005

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
Chief United States District Judge

